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Policies and Procedures

Title: Veterans Readjustment and Other Appointments for Veterans

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This DIRECTIVE specifies requirements for the appointment of certain veterans without regard to competitive procedures. Information is also provided for participation in Department of Veterans Affairs training programs which allow ARS to utilize disabled veterans in unpaid work assignments.

Table of Contents

1. SUMMARY	3
2. ABBREVIATIONS	3
3. FORMS	4
4. DEFINITIONS	4
5. AUTHORITIES	4
6. POLICY	5
7. RESPONSIBILITIES	5
8. VRA (5 CFR 307.103)	6
9. VRA ELIGIBILITY REQUIREMENTS	7
10. VRA TRAINING PROGRAM	7
11. POSITION CHANGE	9
12. CONVERSION	9
13. PROCEDURE FOR COMPLETION OF VRA DEVELOPMENT PLAN	9
14. DISABLED VETERANS (5 CFR 316.402)	10
15. UNPAID WORK EXPERIENCE (5 CFR 315.604)	10

1. SUMMARY

This DIRECTIVE specifies requirements for the appointment of certain veterans without regard to competitive procedures. Information is also provided for participation in Department of Veterans Affairs training programs which allow ARS to utilize disabled veterans in unpaid work assignments. PL 102-16, signed by the President on March 22, 1991, makes several important changes in the Veterans Readjustment Appointment (VRA).

- Raises the maximum entry grade level to GS-11, WG-11, or equivalent for all VRA eligibles.
- Eliminates the education limits on VRA eligibility. There is no longer any restriction on the number of years of education VRA eligibles may have completed.
- Changes the VRA eligibility of veterans who entered the Armed Forces on or before May 7, 1975, and continued serving after that date.
- Changes the definition of post-Vietnam-era veterans from veterans who served on active duty after May 7, 1975, to veterans who first became a member of the Armed Forces after May 7, 1975.
- Changes the period of appointment eligibility. (See 9 below)
- Removes the December 31, 1993, expiration date from the VRA statute, thereby making the VRA authority permanent.
- Provides preference for disabled veterans over other veterans in appointments.

2. ABBREVIATIONS

- CFR - Code of Federal Regulations
- DVA - Department of Veterans Affairs
- FPM - Federal Personnel Manual
- GI - Government Issue
- GS - General Schedule
- OPF - Official Personnel Folder

- OPM - Office of Personnel Management
- RIF - Reduction in Force
- PL - Public Law
- USC - United States Code
- VEV - Vietnam Era Veteran
- VRA - Veterans Readjustment Appointment
- WG - Wage Grade

3. FORMS

- ARS-581 - Enrollee Waiver of Salary (Local Reproduction)
- DD-214 - Discharge Certificate
- SF-52 - Request for Personnel Action
- VA-22-1904 - Agreement To Train On The Job Disabled Veterans

4. DEFINITIONS

Active Duty is full-time duty in the Armed Forces other than active duty for training.

Post-VEV are veterans who first became a member of the Armed Forces after May 7, 1975.

VEV are veterans who entered the Armed Forces on or before May 7, 1975, and served anytime during the Vietnam era. These veterans must have:

- Served on active duty for more than 180 days, separated with other than a dishonorable discharge, and served in Vietnam or another campaign of the Vietnam era for which a badge or medal is authorized, or
- Been discharged because of a service connected disability.

VRA Authority is used to make excepted appointments for veterans who served during and after the Vietnam era to a position otherwise in the competitive service.

Qualified Veterans are veterans who meet the definition of Post-VEV and VEV.

5. AUTHORITIES

- PL 102-16, March 22, 1991
- 5 CFR 307.103
- 5 CFR 315.604
- 5 CFR 316.402
- 38 USC 2011
- FPM Letter 301-15, June 24, 1991

6. POLICY

ARS will provide employment and advancement opportunities to qualified veterans and will include these individuals in ongoing recruitment and training activities.

7. RESPONSIBILITIES

Personnel Division is responsible for:

- Guiding managers and supervisors at operating levels in job development to create VRA opportunities.
- Assisting managers and supervisors in developing education and training programs for employees on VRA and developing follow up procedures.
- Working with OPM Area Offices at the local level to make sure interested veterans are promptly referred and considered for employment.
- Listing qualified veterans ahead of qualified nonveterans on certificates of eligibility issued to managers.

Supervisors are responsible for:

- Considering VRA eligibles, disabled veterans, and other veterans for vacant positions.
- In cooperation with the veteran, preparing a VRA Development Plan designed to meet the veteran's training, educational, and career needs.
- Developing a Performance Plan within 30 days after the veteran is placed in a

position.

- Determining that the training and career objectives outlined in the VRA Development Plan are being met.
- Counseling the veteran on a regular basis, normally as part of the performance review process, in an effort to determine that the requirements of the VRA Development Plan and the Performance Plan are being met.

VRA Employees are responsible for:

- Participating fully in the preparation of the VRA Development Plan.
- Striving to successfully complete the requirements of the VRA Development Plan.
- Actively participating in counseling activities and the individual goal-setting process.

8. VRA (5 CFR 307.103)

A VRA is a noncompetitive appointment which leads to competitive status and career or career-conditional tenure.

ARS is authorized by the VRA to appoint qualified eligible veterans to full-time, part-time, or intermittent positions at GS-11, WG-11, or equivalent and below. Positions may be filled below the GS-3 or WG-3 level only when there is substantial opportunity for progression to a position at least at the GS-3 or WG-3 level.

In filling positions above the GS-3 or WG-3 level, the veteran must meet the appropriate qualification standards. Written tests required by any qualification standard are waived in making minimum qualification determinations of VRA candidates.

VRA appointees are initially hired for a 2-year period. Upon successful completion of the 2-year VRA, the appointee must be noncompetitively appointed to a permanent civil service appointment.

VRA appointees with less than 15 years of education must take part in the training program under which they were appointed.

Employees on a VRA are considered excepted service employees in tenure group II for reduction-in-force purposes.

9. VRA ELIGIBILITY REQUIREMENTS

To be eligible for a VRA, veterans must:

- Have served more than 180 days active duty, any part of which occurred during the Vietnam era (8/5/64 to 5/7/75), possess other than a dishonorable discharge, and have a campaign badge (for example, the Vietnam Service Medal); or
- Have served in active duty during the Vietnam era and been discharged from active duty for a service-connected disability; or
- Be a Post-Vietnam-era veteran, who entered the service after May 7, 1975, if they served on active duty for more than 180 days and have other than a dishonorable discharge; and
- Be a United States citizen.

Period of appointment eligibility.

- Disabled veterans who are 30 percent or more disabled have no time limit on their VRA eligibility.
- A VEV is eligible for a VRA within the 10 year period after the veteran's last discharge or release from active duty or until December 31, 1993 --whichever is later.
- A post-VEV is eligible for a VRA within the 10 year period after the last discharge or release from active duty or until December 17, 1999--whichever is later.

10. VRA TRAINING PROGRAM

Education or training paid by ARS must meet the requirements of DIRECTIVE 440.1. Veterans may, but are not required to, use GI bill benefits for training or education taken in connection with this VRA. Veterans may not claim GI bill benefits for education or training provided or paid for by ARS.

Education or training must be planned jointly by the veteran and the supervisor.

Developmental activities must be identified on the VRA Developmental Plan, Exhibit 1, and may include any, or a combination of the following:

- Planned on-the-job training.
- Formal classroom training.
- Basic or remedial education, or both.
- Rotational work assignments.
- Vocational education.
- Scientific or technical education.
- High school or high school equivalency.
- College education.

Education or training should be directed toward accomplishing objectives which are meaningful to the veteran and consistent with the needs of the Agency. The objectives should reflect:

- The veteran's career goals.
- The veteran's ability to achieve these goals.
- The extent to which the goals will assist the veteran in pursuing a successful career.

Veterans should be encouraged to develop programs to meet their personal objectives. Objectives not attainable within 2 years of service should not be included in the written agreement.

If a veteran serving under a VRA moves to a new position, the developmental plan should be changed to reflect any new objectives. Any modified plan must be one that can be completed prior to the original scheduled conversion date.

Counseling is an essential element of the developmental program. If the veteran has trouble meeting the requirements of the plan, the supervisor should immediately notify the servicing staffing specialist for assistance. The DVA is a major source from which the veteran can get vocational and educational counseling.

If the veteran's participation is unsatisfactory, and counseling indicates appropriate changes cannot be made, the supervisor may consider termination. Termination should never be based solely on academic failure unless that failure is clearly due to lack of effort. In considering termination, supervisors will give attention to circumstances beyond the employee's control, such as:

- Illness.
- Heavy overtime work.
- Unsuccessful counseling which led to undertaking a program beyond capabilities.

11. POSITION CHANGE

Employees under VRA:

May be assigned noncompetitively to another position through reassignment, promotion, etc., even though they have not completed the education or training program.

Must meet the same qualification standards in noncompetitive actions as in original appointments.

Must have the same opportunity for promotions as other employees under the ARS Merit Promotion Plan.

12. CONVERSION

A VRA must be converted to a career or career-conditional appointment within 30 days after the employee has successfully completed 2 years of continuous service under a VRA.

Supervisors need to initiate a request for personnel action (SF-52) to have the veteran converted at the completion of 2 years of service.

13. PROCEDURE FOR COMPLETION OF VRA DEVELOPMENT PLAN

Supervisor

- Prepare original and two copies of VRA Development Plan (See Exhibit 1). Under Item B, specify:
 - Veteran's education or training objectives.
 - Developmental activities to be undertaken to fulfill objectives.

- Review with servicing staffing specialist.
- Review plan with veteran to see that it meets the needs of the veteran and the work situation, and make any necessary changes.
- Sign and have veteran sign and date the plan and send it to the servicing staffing specialist.

Staffing Specialist

- Sign and file the original Plan in the OPF.
- Send one copy to supervisor.
- Send one copy to employee.

14. DISABLED VETERANS (5 CFR 316.402)

A disabled veteran, with a compensable service-connected disability of 30 percent or more, may be selected without competitive examination, for a temporary limited or term appointment.

Evidence of a 30 percent disability may be established in one of two ways:

- Submission of a DD-214 stating that the veteran retired from active military service with a disability rating of 30 percent or more.
- Receipt of a letter from DVA, within the preceding year, stating that the veteran has a service-connected disability of 30 percent or more.

Disabled veterans must meet the OPM qualification requirements for the position to which selected.

A 30 percent disabled veteran serving under a temporary appointment not limited to less than 60 days, may be noncompetitively converted to a career-conditional appointment at any time.

15. UNPAID WORK EXPERIENCE (5 CFR 315.604)

A disabled veteran who completes on-the-job training in a Federal agency prescribed by the DVA may be appointed noncompetitively to a position, for which trained, by any agency having a suitable vacancy.

- Service disabled veterans eligible for training under the DVA vocational rehabilitation program are eligible to participate in on-the-job training.
- Veterans may pursue an individual training plan in ARS. During this period of training, the veteran is the beneficiary of the DVA and receives no compensation from ARS. Veterans are not considered Federal employees for the purpose of laws administered by OPM, but are considered Federal employees for Workers' Compensation entitlements.
- The principal purpose of the training is to permit ARS, or any other Federal agency having a vacancy, to noncompetitively appoint the disabled veteran to a position for which he/she was trained. The training also provides work experience for the disabled veteran to assist him/her in obtaining employment in the private sector, or in qualifying for and obtaining employment in the Federal government on a competitive basis.
- When a disabled veteran is enrolled for training, an agreement must be signed by DVA and ARS. See Exhibit 2, VA-22-1904, Agreement to Train On The Job Disabled Veterans. The veteran must also sign ARS-581, Enrollee Waiver of Salary. See Exhibit 3.
- There are no grade restrictions nor is there a minimum length required for the training period since it is intended to be tailored to individual needs and goals. However, when the goal of the training is noncompetitive appointment, the length, comprehensiveness, and the depth of the training must be sufficient to assure that the trainee will meet the qualification standards of the target position upon completion of the program.
- Upon successful completion of the training program, ARS issues the trainee a statement of completion jointly signed by ARS and DVA. The statement must include the appropriate occupational series and grade level of the position for which the veteran was trained.
- Based upon this certificate of training, ARS or any other Federal agency may within 1 year from the date of issuance of the certificate, noncompetitively

appoint the veteran to a Special Tenure appointment.

- Special Tenure appointment is a bridge appointment between completion of training and recommendation for conversion to a career-conditional or career appointment.
- Although employees may remain under Special Tenure appointments for 36 months, they may only be converted from such appointments to career or career-conditional appointments noncompetitively within the first 6 months or at the end of 36 months.
- Employees serving under a Special Tenure appointment are status quo employees. They are entitled to health benefits, life insurance and retirement coverage. Status quo are Tenure Group III for RIF purposes.
- ARS must receive OPM approval to convert Special Tenure employees to career or career-conditional appointments.

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Exhibits (not available)

- 1 Veterans Readjustment Appointment Development Plan
- 2 VA-22-1904 - Agreement To Train On The Job Disabled Veterans
- 3 ARS-581 - Enrollee Waiver of Salary (Local Reproduction)